और इसके पीछे जिम्मेदार है सिर्फ पीने का अशुद्ध पानी। उन गांवों के लोग खुली बावड़ियों से पानी पीते है। ढके हुए पानी की कोई व्यवस्था नहीं है और खुली बावड़ियों से पानी पीने से यह रोग होता है। इस नारू रोग के चलते वहां एक विकट समस्या पैदा हो गयी है। मैं प्रधान मंत्री जी से जानना चाहूंगी कि जहां इतना भयंकर रोग फैला हुआ है जिस इलाके की करीब 60-70 फीसदी जनता जिस रोग से पीड़ित है और कोई बाहर का आदमी जाए तो आतंकित हो जाए--उपसभापति महोदया, चुनाव प्रचार के दौरान जो हम लोग . . . .

उपसभापति : आप सवाल कीजिए. . . (व्यवधान)

श्रीमती सरला माहेश्वरी : चुनाव प्रचार के दौरान जो लोग गये थे उनको भी वह नारू रोग हो गया था वहां का पानी पीने से. . . (व्यवधान) मैं प्रधान मंत्री जी से जानना चाहूंगी कि कम से कम इस तरह की जगह जहां इतनी विकट समस्या हो आप कौन-से विशेष प्रावधान कर रहे है? ताकि कम से कम इस तरह के रोगों से लोग—हमारे आदिवासी अनुसूचित जाति और जनजाति के लोग पीड़ित न हों। आज आजादी के 43 वर्ष हो गये है। कम से कम ऐसे इलाकों के लिए कौन-से विशेष प्रावधान कर रहे है और इस पर विशेष नजर रखते हुए कौन सी योजनाएं चला रहे है, यह मैं जानना चाहती हूं।

श्री पी०वी० नरसिंह राव : ऐसे इलाकों के लिए जैसे कि सदस्यों को पता होगा हजारों ऐसे गांव थे और वहां ड्रा वेल दिये गये है जहां स्टेप वेल थे। मैं अपने तजुर्बे से बता सकता हूं अपने ही इलाके में, मेरे ही इलाके में कई ऐसे गांव थे। आज एक भी ऐसा गांव नहीं है जहां ड्रा वेल नहीं दिया गया हो। अब सदस्य मुझे बतायें कि कौन-कौन से गांव है, कितने गांव है। यह तो राज्य सरकार का काम है वैसे भी। लेकिन मैं उनकी तवज्जह फौरन दिलाऊंगा और उसमें जोभी कार्यवाही करनी है तुरंत की जाएगी।

Order for Reservation of Government Jobs for Handicapped Persons

*103. SHRI CHATURANAN MISHRA: SHRI N. E. BALARAM:

Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that there is a standing executive order for reservation of 3 per cent jobs in Group C and D posts in Government Departments and Public Sector Undertakings for handicapped persons and

(b) if so, the details thereof and the number of appointments made during the last five years ?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA) : (a) and (b) A statement is laid on the Table of the House.

Statement

(a) Yes, Sir.

(b) Copies of O.M. dated 1-4-1986 and 20-11-1989 are enclosed. (See below).

Such appointments are decentralised to the administrative Ministries/Departments concerned and their Attached and Subordinate Offices. The information about the number of appointments is not centrally maintained.

†The question was actually asked on the floor of the House by Shri Chaturanan Mishra.

(Copies of O.M. dated 1-4-1986 and 20-11-1989)

No. 36035/17/85-Estt (SCT)

Government of India

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSION
(DEPARTMENT OF PERSONNEL & TRAINING)

New Delhi, dated 1st, pAril '86

OFFICE MEMORANDUM

SUBJECT Reservation for the Physically Handicapped persons in Group 'C' & Group 'D' posts services under the Central Government.

The undersigned is directed to refer to the Department of Personne & A.R. Office Memorandum No. 39016/6/77-Estt(C) dated 4-11-77 read with O.M. No. 36035/14/83-Estt(SCT)dated 20-1-84, on the subject mentioned above and to say that the question wehther the 3% reservation for the physically handicapped is to be computed on the basis of vacancies occurring only in the Group 'C' and Group 'D' posts which have been identified as suitable for the physically handicapped persons *or* on the basis of the total vacancies occurring in all Group 'C' and Group 'D' posts respectively has been reconsidered in the context of the need for speedy rehabilitation of the physically handicapped. It has now been decided that with effect from 1-1-1986, the 3% reservation for the physically handicapped in Group 'C' and Group 'D' posts shall be computed on the basis of total number of vacancies occurring in all Group 'C' and Group 'D' posts respectively under each Head of Department in a Ministry/Department/Office, although the recruitment of the handicapped would be only in the posts identified to be suitable for them, subject to the overall ceiling of 50% reservation in that post as laid down by the Supreme Court.

As 3% reservation shall now have to be computed on the basis of vacancies occurring in both the identified and non-identified Group 'C' and Group 'D' posts, and since there are no reserved points for the physically handicapped in the roster for non-identified posts the instructions laid down in this Department's Office Memorandum No. 39016/20/80-Estt(C) dated 27th March, 1981, OM No. 36035/14/83-Estt(SCT) dated 20th January, 1984 and O.M. No. 36035/4/84-Estt (SCT) dated 10th September, 1984 for effecting and carrying forward the reservation for various categories of physically handicapped, through fixed points on the rosters, shall be deemed to have been withdrawn with immediate effect. Consequently, the 3% reservation for the physically handicapped shall now be computed in the manner laid down as under. :

In the beginning of each year, every appointing'authority shall assess the number of vacancies, actual as well as anticipated, for making direct recruitment to the various posts/services under its administrative control. These vacancies shall be plotted on the separate rosters being maintained for different grades/cadres in each office of tne appointing authority for giving effect to reservations for Scheduled Castes/Tribes. In the case of such vacancies occurring in posts identified as suitable for one or more of the categories of the handicapped, the appointing authority shall also work out the number of vacancies which could be reserved for the physically handicapped, after accommodating fresh and the carried forward reservation of Scheduled Castes/Tribes, within the 50% ceiling as laid down by the Supreme Court. This exercise shall be completed within the month of January itself and the appointing authority shall send a report to the Head of the Department by 31st January of each year intimating the following details about the vacancies available with it :—

(I) total number of vacancies available and required to be filled by direct recruitmen specifying (a) name of the post; and (b) Groups to which it belongs (Group C or D);

(II) whether the post has been identified as suitable for the physically handicapped; and if so, for which sub-categories; and

(III) in case of identified posts, the number of vacancies out of (I) above, which could be reserved for the physically handicapped after adjusting the fresh and carried forward reservations for SC/ST within the 50% ceiling.

If after this exercise in January, more vacancies come up during the recruitment year they will also be reported to the Head of the epartment by each appointing authority as and when they occur so that the latter is in a position to reassess the computation of the reservation required to be made for the physically handicapped on a macrobasis. If it is less on account of some anticipated vacancies not materialising that also may likewise be reported to the Head of the Department so as to enable him to make necessary adjustment at his level.

All Heads of Departments shall maitain a separate 100 point Register for this purpose in which each cycle of 100 points shallb e divided into three Blocks, comprising the following points :—

1st Block—point No. 1 to point No. 33

2nd Block—point No. 34 to point No. 67

3rd Block—point No. 68 to point No. 100

All the vacancies so reported by the different appointing authorities will be entered in this Register for each group of posts (Group C or D). The account shall be maintained on year to year basis separately for Group 'C' and Group 'D' posts/services and will be closed on the 31st December of each year. For each Block of vacancies, there shall be reserved one vacancy for the physically handicapped in post/grade identified as suitable for one or more of the caetgories of the physically handicapped. After computing all the vacancies and determining the reservation for the handicapped, blockwise, in the manner indicated above, the Head of Department will be required to distribute these reserved vacancies for the handicapped among different appointing authorities in the light of availability of vacancies in the identified categories under the various appointing authorities. Care should also be taken that 3% reservation for physically handicapped is, as far as possible, distributed equally among the three sub-categories i.e the Blind, the Deaf and the Orthopaedically Handicapped, consistent with the appropriate identification. If the number of vacancies is such as to cover only *one* block or *two*, discretion as to which category of the handicapped should be accommodated first should vest in the Head of the Department, who should decide on the basis of the nature of the post, the level of representation of the specific handicapped category in the concerned grade/post etc. In the event of the reservation not being utilised in the same block in which it fell due, it shall be carried forward to the next block or blocks as the case may be in the same year. In such exigencies where the reservation could not be utilised in any of the blocks during the year, the same shall be carried forward in the subsequent three recruitment years at the end of which the reservation shall be deemed to have lapsed. Mutual exchange in the event of non-availability of specific handicapped category would be permissible according to the instructions contained in this Department's O.M. No. 39016/6/77-Estt(C) dated 4-11-77 and O.M. No. 39016/20/80-Estt(C) dated 30-12-80.

After the reservation for the physically handicapped has been computed in the above manner, the Head of the Department shall inform the appointing authority of the specific category of handicapped who should be appointed in an identified post or grade, against the total distributed vacancies for each appointing authority. The appointing authority shall take on all the vacancies in the respective 40 point/100 point rosters being maintained for effecting reservation for Schedeld Castes/Scheduled Tribes for posts under its control. In the rosters for the posts identified as suitable for the physically handicapped, and in which vacancies are proposed to be reserved for this category as per the computation made and intimated by the Head of the Department, such number of vacancies to that extent required shall be reserved for the physically handicapped after adjusting the fresh and carry forward reservation for SCs/STs but subject to the overall 50% ceiling as laid down by the Supreme Court.

After the appointment has been made against such a reserved vacancy for handicapped the appointing authority shall furnish a compliance report to the Head of Department to facilitate the latter in assessing the quantum of carry forward as indicated in para 4 above in case of non-availability of physically handicapped candidates to fill up the vacancies reserved for them. In case, any of the reserved vacancies for physically handicapped is filled by the appointment of a person from any of the sub-categories, the reservation would be deemed to have been utilised in pursuance of the principle of inter-sex exchange.

For the year 1986 the procedure laid down in the previous paragraphs may be followed immediately as if the assessment of vacancies is being made in the beginning of 1986 taking into account the vacancies including those which have arisen in 1986 and already filled up. The appointments of handicapped persons already made in accordance with the roster points as per instructions existing prior to the issue of this O.M. may be adjusted against vacancies to be reserved for physically handicapped persons on the basis of the instructions contained in this O.M. After such adjustments the appointing authorities may be intimated the details of the vacancies to be filled up as instructions contained in para 5 of this O.M.

Ministry of Finance etc. are requested to bring the above instructions to the notice of all the Heads of Departments and appointing authorities under their control for necessary compliancee and also ensure that the reservation as provided in the above manner, is effectively monitored to cut down on all possible delays.

Hindi version will follow.

(Bata K. Dey
(Director (JC)A)

No. 36035/8/89-Estt. (SCT)

Government of India

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
DEPARTMENT OF PERSONNEL & TRAINING

New Delhi, the 20 Nov., 1989

OFFICE MEMORANDUM

SUBJECT : Reservation for the physically handicapped in posts filled by promotion.

The undersigned is directed to say that the Government has under consideration a proposal to introduce reservation in favour of the physically handicapped persons in posts filled by promotion. The matter has been examined and it has now been decided that when promotion are being made :

(i) Within Group 'D', (ii) From Group 'D' to Group 'C' and (iii) within Group 'C' reservation will be provided for the three categories of the physically handicapped persons namely the visually handicapped, the hearing handicapped and the orthopaedically handicapped.

The applicability of the reservation ,will, however, be limited to the promotions being made to those posts that are identified as being capable of being filled/held by the appropriate category of physically handicapped.

2. Each of the three categories of the physically handicapped persons will be allowed reservation at one percent each. Though the reservations will be affective only in those posts that are identified as being capable of being held by the appropriate category of the physically handicapped persons, the number of vacancies that will be reserved for the physically handicapped persons when promotions are being made to such identified posts will be computed by taking into account the total number of vacancies that arise for being filled by promotion in a recruitment year both in the non-identified as well as identified posts. If the appropriate category of the physically handicapped persons are not available in the feeder grade from which promotion is being made to the next higher grade of the identified posts then an inter-se exchange will be permitted subject to the condition that :

(i) the post to which promotion is to be made is one that can be held by the category of the physically handicapped persons available in the feeder grade: and

(ii) The reservation so exchanged is carried forward to the next three recruitment years after which the reservation shall lapse.

3. Ministry of Finance etc. are requested to give immediate effect to those orders.

(K.N.K. Karthiayani)
Director

To

All Ministries/Departments

2. The Secretary, Staff side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
3. Central Administrative Tribunal, New Delhi.

श्री चतुरानन मिश्र : मैंने जो प्रश्न पूछा था उसका जवाब तो नहीं आया है ! हमारे पास में एक सरकुलर होम मिनिस्ट्री का भेज दिया गया है । जवाब नहीं है क्वेश्चन का । अगर इसका रिप्लाई लिखा हुआ हो कोई हैंडीकैप्ट या ब्लाइंड आदमी का तब तो ठीक है नहीं तो हमको बता दीजिए हमारे सवाल का जवाब कहां है (**व्यवधान**) मैं आपका ध्यान आकर्षित कर रहा हूं । हमको तो सिर्फ एक नोटिफिकेशन की कापी भेज दी है।

श्री सत्यप्रकाश मालवीय : पार्ट बी के दूसरे पार्ट का जवाब नहीं है।

श्री चतुरानन मिश्र : किसी पार्ट का जवाब नहीं है ।

SHRIMATI MARGARET ALVA : Madam, the question is :

"whether it is a fact that there is a standing executive order for reservation of 3 per cent jobs in Group C and D posts in Government . . ."

We have said, "Yes" and sent a copy of the circular by which this . . .

SHRI CHATURANAN MISHRA : Nowhere have you said, "Yes". You have sent only the circular.

SHRIMATI MARGARET ALVA : I am sorry, the reply here is :

"(a) Yes, Sir.

"(b) . . ."

SHRI CHATURANAN MISHRA : But it has not been given to us . . . (*Interruptions*).

And the second part of the question asks about the details . . .

SHRIMATI MARGARET ALVA : I am sorry. If you say so, then, I will read it out. The answer given is this. The statement is :

"(a) Yes, Sir.

"(b) Copies of O.M. dated 1-4-1986 and 20-11-1989 are enclosed.

"Such appointments are decentralised to the administrative Ministries/ Departments concerned and their Attached and Subordinate Officers. The information about the number of appointments is not centrally maintained.

This is the statement which has been given with the circular.

SHRI CHATURANAN MISHRA : It has not been given to us. Nor has it been circulated . . . (*Interruptions*)

I do not know whether our Secretariat has received it or not.

In any case, now let us go to this.

मैं मंत्री महोदय से यह कहना चाहता हूं कि इस सरक्युलर का वायलेशन हो रहा है, माने इस सैंस में कि इम्प्लीमेंटेशन नहीं हो रहा है । हमारे पास पब्लिक अंडरटेकिंग्स का और गवर्नमेंट का भी बहुत जगह हिसाब है । तो क्या आप इस बात की जांच कराएंगी कि यह सरक्युलर आपका इम्प्लीमेंट हो रहा है या नहीं हो रहा है ? मैं यह जानना चाहता हूं कि इसकी क्या कोई जांच आप करवा सकेंगी ?

SHRIMATI MARGARET ALVA : Madam, we also have been receiving complaints that even those who have been selected by the Staff Selection Commission under the 3 per cent quota which has been reserved for the handicapped, even though the nominations are sent to the Ministries, sometimes are not immediately given appointment letters. We have the orders. We have decentralised, in fact, the recruitment and placement so that each Ministry would identify the jobs as per the list published by us. In fact, 1,100 posts have been identified as best suited for the handicapped, visually handicapped, orthopaedicalley handicapped and hearing handicapped. As per the rules these are reserved, and the whole Group C and Group D posts are classified, and the roster is maintained.

If there are specific complaints which the hon. Member would like to send to us, we are prepared to follow them up.

SHRI CHATURANAN MISHRA: you yourself have said ...

THE DEPUTY CHAIRMAN: Second supplementary, please.

SHRI CHATURANAN MISHRA: This is not the point. Specific complaints have already come to you. You yourself have said it. I am asking whether these rules are properly implemented or not. At least we are not handicapped persons. Let others examine it. I just want that the point should be clear whether you are going to enquire into it and whether these rules are implemented or not.

THE DEPUTY CHAIRMAN: Is this second supplementary?

SHRI CHATURANAN MISHRA: No, no. How can it be?

SHRIMATI RENUKA CHOWDHURY: This is a clarification of the first.

SHRI CHATURANAN MISHRA: It is for you, Madam, to say it.

THE DEPUTY CHAIRMAN: I have all the papers on my table. I am sure the papers got lost or there is lack of co-ordination. The hon. Minister said that the papers have been sent to you with the details. They have identified the areas.

श्री चतुरानन मिश्र : हमने वह तो एक्सेप्ट कर लिया।

उपसभापति : अभी आप क्या एक्सेप्ट नहीं कर रहे है ?

SHRIMATI MARGARET ALVA: I am prepared to assure not only the Member but the House that we will look into whatever problems.

श्री चतुरानन मिश्र : अभी हमारा यह कहना है कि यह इम्प्लीमेंट नहीं हो रहा है, क्या इसकी कोई जांच कराएंगी ?

उपसभापति : कराएंगी क्या ?

Are you going to make some enquiry about it?

SHRIMATI MARGARET ALVA: Madam, not only enquiry, but I have said that we are trying to monitor it is far as we can. I promise that whatever can be done through the Department to ensure that the vacancies are filled, we will do. We have had special recruitment drives conducted to fill up the backlog, of which also I have got the figures. We have been trying our best to see that the identified posts are provided for the handicapped.

श्री चतुरानन मिश्र : जो भी मॉनिटरिंग रिपोर्ट हो, जरा इस टेबल पर रख दीजिएगा।

उपसभापति : जब मॉनिटरिंग रिपोर्ट हो तो सदन के पटल पर रख दीजिएगा।

श्री चतुरानन मिश्र : दूसरा हमारा यह है कि यह यूनिवर्सिटी में भी लागू है या नहीं क्योंकि जो ब्लाइंड लोग है, वे एजुकेटिड हो जाते हैं, तो इसमें हम यह जानना चाहेंगे, यह सरक्यूलर में क्लिअर नहीं है, कि जो प्रोफेसर्स है, टीचर्स हैं, लेक्चरार हैं, उनके लिए आप लागू करती हैं या नहीं करती ? क्योंकि यहां दिल्ली में भी हम देख रहें हैं कि दि ब्लाइंड्स लेक्चरार और देअर, लेकिन उनको रेग्युलराइज नहीं किया जा रहा है। तो हम जानना चाहेंगे कि उसमें आप कर रही हैं या नहीं ?

SHRIMATI MARGARET ALVA: Madam, the reservation of posts at the moment, up to now has been only in Groups C and D posts. It has not yet been extended to Groups A and B. But I would like to say that this is receiving now specific attention, and between the Ministry of Welfare and us we are ...

श्री चतुरानन मिश्र : "सी" "डी" से तो हमारा मतलब ही नहीं है।

श्रीमती मारग्रेट अल्वा : प्रोफेसर्स का तो "ए" एंड "बी" में आ जाएगा, "सी" एंड "डी" में नहीं जाएगा।

श्री चतुरानन मिश्र : टीचर्स भी तो है, प्राय-मरी टीचर्स भी तो है। मैंने तो टीचर्स शब्द इस्ते-माल किया है प्रोफेसर्स का तो उदाहरण दिया है

क्योंकि यहां दिल्ली में यूनिवर्सिटीज में भी ऐसे लोग हैं, आप चाहेंगी तो हम नाम भेज देंगे ।

श्रीमती मारग्रेट आल्वा : मैडम, आप जानती है कि प्रायमरी स्कूल टीचर्स सेंट्रल गवर्नमेंट एम्प्लाइज नहीं हैं, वह तो स्टेट सब्जैक्ट है । वहां तो स्टेट गवर्नमेंट के ऑर्डर्स जाते हैं।

श्री चतुरानन मिश्र : आपके सेंट्रल स्कूल्स है या नहीं ? उनमें प्रायमरी एजुकेशन दी जाती है या नहीं ? आप ऐसे भाग क्यों रही है ? आंख वाले लोग ऐसे भागेंगे तो अंधा कहां जाएगा ?

SHRIMATI MARGARET ALVA: Madam, I can only say the order is very clear that for all Group C and Group D posts a roster be maintained for the handicapped. A forty-point roster is maintained.

SHRI CHATURANAN MISHRA: I agree to that.

SHRIMATI MARGARET ALVA: If he asks me for details of each post, I will not be able to give.

उपसभापति : आप जरा उन्हें जवाब तो देने दीजिए। आपकी कंटीनुअस कॉमेंटरी रहेगी तो मंत्रीजी के ख्यालात जुड़ नहीं सकते हैं । आप बैठ जाइए । चतुरानन जी, आपने सवाल पूछा है, आप स्पेशल मेंशन नहीं कर रहे है, सवाल पूछ रहे हैं, उनको जवाब देने दीजिए । चतुरानन जी का कहना यह है कि "सी" एंड "डी" के लिए आपने भेजा है, अगर कहीं हैंडीकैप्ड नेत्रहीन है और अगर यूनिवर्सिटी में उनको एम्प्लायमेंट मिल सकता है या कॉलेजेज में, स्कूल्स में, प्रायमरी स्कूल्स या सेंट्रल गवर्नमेंट के अंतर्गत जो स्कूल्स चलते हैं उनमें मिल सकता है तो आप उस पर ध्यान देंगी ?

श्रीमती मारग्रेट आल्वा : मैडम, मैंने पहले ही कहा था कि 1,100 पोस्टस अभी तक मिनिस्ट्री ऑफ वेलफेअर ने हैंडीकैप्ड के लिए आयडेंटीफाय किए है।

That has been specifically stated in regard to three categories of handicaps. I cannot give him information about all the one thousand one hundred posts here. If he wants, he should give me a separate notice I will send him the list which has been prepared.

THE DEPUTY CHAIRMAN: You please send him the details.

SHRIMATI MARGARET ALVA: I cannot say which category and which level. Here I have got the list.

THE DEPUTY CHAIRMAN: You may not read the thousand one hundered list. You may give it to Mr. Mishra and let him go through it and see if it satisfies him.

SHRIMATI MARGARET ALVA: I would like to submit that at entry 56, the higher secondary and secondary school teachers are also included.

SHRI N. E. BALARAM : The hon. Minister in her reply ... (*Interruptions*) May I ask a question ?

THE DEPUTY CHAIRMAN: Yes, you may.

SHRI N. E. BALARAM: The hon. Minister in her reply has stated that the information about these appointments is not Centrally maintained. If that is so, how could the Ministry know that the orders issued by the Department of Personnel are being followed ? I have seen three orders. I have got their copies. (*Interruptions*)

THE DEPUTY CHAIRMAN: May I have some order in the House so that the Member can put a question and the Minister can answer. The confusion is because neither she can hear nor can he be heard.

SHRE N. E. BALARAM: That is why I said : Can I ask a question ? She said the information about the number of appointments is not Centrally maintained. That means the Ministry has not got the full information about the orders issued by its own department. Without knowing that, by their issuing Executive Orders, I do not think these orders are properly implemented. Last month there was a National

Conference of the Handicapped people in New Delhi. They cited a number of cases where the orders were not executed by the respective authorities at respective levels. They are demanding a comprehensive legislation on that. What is the attitude of the Government for a comprehensive legislation to solve this problem ? They feel that without a comprehensive legislation, by sheer Executive Orders the authorities down below are not accepting these orders. The situation has come to that pass. That was the criticism levelled in that meeting. I was participating in that meeting. What is the attitude of the hon. Minister to such a problem ?

SHRIMATI MARGARET ALVA : This is a suggestion which the Member has made now. I do understand the problem when departments from all over the country are involved. As far as the Department of Personnel is concerned, we work out rules and regulations and issue the orders. As I said in the beginning, we have decentralised the recruitment. Each Ministry, each Department, each public sector undertaking or subordinate office mintains the roster, 40-point roster and does the recruitment. As far as we are concerned, we do not go and do the recruitment at every level directly from the Centre. As far as the UPSC and the Staff Selection Commission are concerned, we are directly involved. Group 'C' and Group 'D' recruitment is done by the Staff Selection Commission for which I have the figures of the last five years. I will give that if the Member would like to have. They are with me. But for the subordinate offices who recruit at the local level, we do not maintain figures centrally because they do not report to us. The monitoring is done by the Ministry of Social Welfare. We issue the instructions, the orders and the guidelines in consultation and each Ministry reports directly to the Ministry of Social Welfare on the follow-up taken by them on these instructions.

SHRIMATI RENUKA CHOWDHURY : Madam, it is very laudable that the Ministry is making its effort for reservation of jobs for the physically handicapped. I want to know if the Ministry has made a specific demand for reservation of kuota for the physically handicapped under the educated unemployed and the self-employment scheme. For example, we give them the facility to start an STD booth, a telephone booth which they can operate and earn from it. Now there is a ban in Andhra Pradesh on giving booths to anyone and especially the physically handicapped have not been benefited. I want to know whether the Ministry has given a direction to this effect. If it has not done, will they consider it ? Will they give a special percentage of reservation for women ? As it is, physically handicapped women do not have a very bright future.

The second thing, she needs to be self-employed, to be independent because her parents also cannot afford to look after her. In the given social structure, she is deemed to be a liability which is an additional handicap from which are suffers. I want to know whether the Ministry will give them some specific quota under the self-employment scheme or any other scheme.

SHRIMATI MARGARET ALVA : Madam, as far as telephone booths are concerned, I know that they are essentialy being given to the handicapped persons of various cortegories at all levels. I am not very certain whether there is a specific reservation for women in that. But I accept the suggestion and I am all for reservation for women and I shall certainly take it up with the Department of Telecommunications to see that a specific quota is given.

THE DEPUTY CHAIRMAN : Because she says that being a woman, it is an additional handicap. These women are already handicapped having another handicap.

SHRIMATI MARGARET ALVA : Madam, we are all handicapped.

SHRI SATYA PRAKASH MALAVIYA : Madam, we have been supplied with the answer a copy of the office memorandum dated 1st April, 1986 which refers to some order of the Supreme Court imposing a ceiling of 50 per cent of overall reservation. Now, Madam, there was an order from the Supreme Court about the Mandal Commission reservation which amounts to 27 per cent. Earlier there used to be reservation

of 22½ per cent for SCs and STs. The overall reservation comes to 49½ per cent. So far as the handicapped persons are concerned, the Ministry says that there is a reservation of 3 per cent. In view of the Supreme Court order, they will impose restriction. Therefore, this office memorandum has to be changed. They should approach the Supreme Court. Will they do it?

SHRIMATI MARGARET ALVA: Madam, we have been concerned about the Supreme Court judgement on the Mandal question. I must tell the hon. Member that there are two specific paragraphs in the judgement which is with me. One is paragraph 59 and the otder one is paragraph 95 which has specifically dealt with the question of reservation for the handicapped and other sections. There are two suggestions which have been made by the Supreme Court. One is that within each category itself, handicapped persons belonging to that category should be fitted into the category of the reserved quota, that is, for the Scheduled Castes and Scheduled Tribes and for the backward classes interlocking of the reservation. And, when it comes to the general category, there should be a three per cent reservation within that category also. The Supreme Court has also pointed out in this judgement that in the case of Article 16(4), it is not exhaustive and in very exceptional cases like in the case of the handicapped, there might be provisions to go beyond 50 per cent, in case of need, where it can be justified. So, the matter has received the attention of the Supreme Court in the judgement itself.

THE DEPUTY CHAIRMAN: Question No. 104.

SHRI SATYA PRAKASH MALAVIYA: That is why I say that this office memorandum of 1st April . . . (*Interruptions*).

SHRIMATI KAMLA SINHA: Question No. 104.

THE DEPUTY CHAIRMAN: Just a second. He is suggesting something.

SHRI SATYA PRAKASH MALAVIYA: The office memorandum itself says, ". . . such number of vacancies to that extent required shall be reserved for the physically handicapped after adjusting the fresh and carry forward reservation for SCs/STs but subject to the overall 50% ceiling as laid down by the Supreme Court."

उपसभापति: आप उन्हें समझा दीजिएगा।

श्री सत्य प्रकाश मालवीय: वे समझ गई हैं।

SHRIMATI MARGARET ALVA: Madam, I agree that there is an overall limit of 50 per cent. But if the interlocking is done within the categories, then the problem of going beyond 50 per cent will not arise. But, if at any time, there is a little extra which has to be accommodated, the Supreme Court has said that provision can be made by government notifications.

THE DEPUTY CHAIRMAN: Question No. 104.

Import of watch components by HMT

*104. DR. BAPU KALDATE:
SHRIMATI KAMLA SINHA:†

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the HMT, Bangalore, has been heavily fined by the customs authorities for its involvement in illegal import of watch components through the ancillary units which could be termed as "smuggling";

(b) if so, what are the details thereof;

(c) whether Government have made any inquiry into such import of the watch components and against the officials involved in it; and

(d) if so, what is the outcome thereof stating the action taken/proposed to be taken by Government in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF INDUSTRIAL DEVELOPMENT) AND THE MINISTER OF STATE

†The question was actually asked on the floor of the House by Shrimati Kamla Sinha.